**REQUEST**

FOR

**CONTINUED EXAMINATION (RCE)****TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/781,592
Filing Date	February 12, 2001
First Named Inventor	Emerson, Beverly M.
Group Art Unit	1635
Examiner Name	Brian A. Whiteman
Attorney Docket Number	066671-0024

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

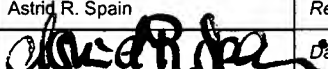
**2. Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502624.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$395.00
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other (additional claims, etc.)
- b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

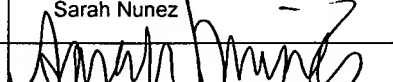
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Astrid R. Spain	Registration No. (Attorney/Agent)	47,956
Signature		Date	November 8, 2004

**CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)**

"Express Mail" Mailing Label Number EV 494141836 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name(Print/Type)	Sarah Nunez	Date	November 8, 2004
Signature			

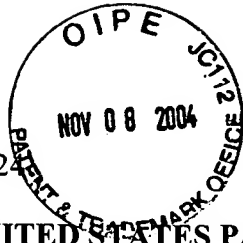
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Docket No.: 066671-002

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Emerson, Beverly M.

Application No.: 09/781,592

Filed: February 12, 2001

Group Art Unit: 1635

Customer No.: 41552

Confirmation No.: 1304

Examiner: Brian A. Whiteman

Title: METHOD OF REGULATING TRANSCRIPTION IN A CELL

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 494141836 US

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Sarah Nunez

**SUBMISSION UNDER 37 C.F.R. § 114**

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed October 8, 2003, consideration entry of the following amendments and consideration of the following Remarks is respectfully requested.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 10 of this paper.

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02 FC:2202 162.00 DA

11/12/2004 EAREGAY1 00000064 502624 09781592

05 FC:2203 150.00 DA